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7 Attorneys for Defendant  
*Albertson's LLC*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 JACKIE WESTENBERGER,  
12 Plaintiff,

13 vs.

14 ALBERTSONS LLC, a Foreign Limited Liability  
Company; DOES I through X; and ROE  
15 CORPORATIONS I through X,  
16 Defendants.

)  
) **Case No. 2:17-cv-02661-JAD-PAL**  
)  
) **STIPULATION AND ORDER TO**  
) **CONTINUE HEARING**  
)

17 Defendant Albertson's LLC ("Defendant"), by and through its counsel of record, Jack P.  
18 Burden, Esq. and Xiao Wen Jin, Esq. of the law firm BACKUS, CARRANZA & BURDEN, and  
19 Plaintiff Jackie Westenberger ("Plaintiff"), by and through her counsel of record, Marcus A. Berg,  
20 Esq. and Boyd B. Moss III, Esq. of MOSS BERG INJURY LAWYERS, hereby stipulate and agree as  
21 follows:

- 22 1. On July 31, 2018, the Court held a hearing on Defendant's Motion to Strike (ECF No. 14)  
23 and Defendant's Motion for Leave to Reply (ECF No. 17).
- 24 2. The Court ordered at the hearing, among other things, that the parties to select a forensic  
25 computer examiner to conduct a review of the computer to verify from the metadata

whether these materials were or were not served as represented by Mr. Hansen and by Mr. Berg. *See* Minutes of Proceedings (ECF No. 19). The Court set the matter for further proceedings for August 28, 2018 at 9:30 a.m. and ordered a joint status report to be filed by August 24, 2018.

3. On August 3, 2018, an appointment was set with the forensic examiner.
4. On August 6, 2018, the forensic examiner began collecting data.
5. On August 11, 2018, the forensic examiner completed the collection of data.
6. On or about August 17, 2018, the forensic examiner requested Defendant's counsel to extend the Joint Status Report deadline of August 24, 2018 as additional time may be needed for analysis.
7. Therefore, the parties respectfully request a thirty-day (30) extension of the Joint Status Report deadline and hearing date as follows:

<u>Item</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Joint Status Report	August 24, 2018	<b>September 24, 2018</b>
Hearing	August 28, 2018	<b>September 27, 2018 or at such later date and time set by the Court</b>

IT IS SO STIPULATED.

DATED: August 21, 2018

DATED: August 21, 2018

**BACKUS, CARRANZA & BURDEN**

**MOSS BERG INJURY LAWYERS**

/s/ Jack P. Burden

/s/ Marcus A. Berg

Jack P. Burden, Esq.

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Attorneys for Defendant

Attorney for Plaintiff

**ORDER**

Upon review of the Stipulation by the parties, the Court hereby orders as follows:

IT IS HEREBY ORDERED that the Joint Status Report shall be filed by September 24, 2018.

IT IS FURTHER ORDERED that the hearing on this matter currently set for August 28, 2018 at 9:30 a.m. is continued to October 2, 2018, at 9:00 a.m.

IT IS SO ORDERED this 23rd day of August, 2018.

  
UNITED STATES MAGISTRATE JUDGE